

Dr. FERNANDO ANZELLINI
MEDICINA INTERNA-CARDIOLOGIA
UNIVERSIDAD DEL ROSARIO
Calle 83 No 19-36 Of. 704
Tels 6160959/74 Fax 6109091 Celular 3102617225
E-Mail: fernando@anzellini.com
BOGOTA, COLOMBIA

RECEIVED

MAR 15 2012

OFFICE OF PETITIONS

Bogota, March 3 2012

U.S. Patent and Trademark Office
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450
USA

Dear Sir:

As per error from the courier Servientrega (see letter enclosed with explanation from the Courier on why the documents and check sent by me on time was not delivered) I called to your office and I was told to deliver one more time the documents regarding Patent No 6,339,720 in order to be accepted with payment, enclosing the official letter from the Courier with all the necessary explanations which I am doing.

With best regards



Dr. FERNANDO ANZELLINI
C.C. 79.144.310



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

FERNANDO ANZELLINI
CALLE 83 NO 19 36 OF 704
BOGOTA CO COLOMBIA

MAILED

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MAR 15 2012

OCT 27 2011 OFFICE OF PETITIONS

OFFICE OF PETITIONS

In re Patent No. 6,339,720
Issue-Date: January 15, 2002
Application No. 09/399,320
Filed: September 20, 1999
Title of Invention: EARLY WARNING
APPARATUS FOR ACUTE MYOCARDIAL
INFARCTION IN THE FIRST SIX HOURS OF
PAIN

ON PETITION

This is a decision on the petition filed October 12, 2011 under 37 CFR 1.378(b), to accept the delayed payment of the maintenance fee for the above-identified patent.

The petition under 37 CFR 1.378(b) is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this 2-month time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Commissioner.

The patent issued on January 15, 2002. The second maintenance fee due could have been paid during the period from January 15, 2009 to July 15, 2009 or, with a surcharge during the period from July 16, 2009 to January 15, 2010. Accordingly, this patent expired on January 15, 2010, for failure to timely remit the second maintenance fee.

A petition to accept the delayed maintenance fee under 35 U.S.C. § 41(c) and 37 CFR 1.378(b) must be accompanied by (1) an adequate showing that the delay was unavoidable, since reasonable care was taken to ensure that the maintenance fee would be paid timely and that the petition was filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent, (2) payment of the appropriate maintenance fee, unless previously submitted, and (3) payment of the surcharge set forth in 37 CFR 1.20(l)(1).

Although petitioner has paid the surcharge in the amount of \$700, petitioner has not submitted

payment or authorization to charge a deposit account for the second scheduled maintenance fees due at 7.5 years from the date of issuance. As such, the merits of this petition will not be discussed.

At this writing, the maintenance fee due is set at \$1425 for a small entity and \$2850 for a large entity, however prior to paying the fees, petitioner should verify the correct fees and to ensure that fee increases haven't occurred in the interim.

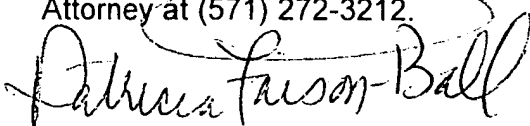
This patent expired January 15, 2010 and will remain in that status until such time as the appropriate maintenance fees have been submitted and a grantable petition has been submitted.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

By FAX: (571) 273-8300
 ATTN: Office of Petitions

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.



Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

DR FERNANDO ANZELLINI &
CAROLINA ANZELLINI JT TEN
CALLE 83 NO 19-36 (704)
BOGOTA
COLOMBIA

COMMAND ASSET PROGRAM

1304

66-21/530 98204

Oct. 5 / 2011

Date

Pay to the Order of United States Patent and Trademark Office \$ 700

Seven hundred dollars Dollars



Security
Features
Details on
Back.



Wachovia Bank,
a division of Wells Fargo Bank, N.A.

CODE



For

Deposit only

F. Anzellini

MP

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MAR 15 2012

OFFICE OF PETITIONS

Copy of check for \$ USD 700

Sent as a first pay-ent.

(alimony deposited by USPTO.)

The amount due USD \$ 835
is set.

F. Anzellini

FERNANDO ANZELLINI F.M.D.
Medicina interna - Cardiología
Reg. Méd.: 6440

**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: 6,339,720

Application Number: 09399320

Issue Date: 01/15/02

Filing Date: 09/20/99

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fees is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

RECEIVED

Also complete the following information, if applicable:

MAR 15 2012

The above-identified patent:

OFFICE OF PETITIONS

☐ is a reissue of original Patent No. _____ original issue date _____
original application number _____
original filing date _____

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application
_____ filed on _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

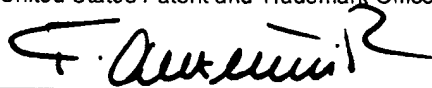
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

December 2 2011

Date



Signature

Fernando Anzellini

Typed or printed name of person signing Certificate

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

03/19/2012 CKHLOK 00000014 09399320

01 FC:1599

835.00 OP

1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

| NOT Small Entity | | | Small Entity | | |
|-----------------------------------|-------------|--------|----------------------------------------|-------------|--------|
| Amount | Fee | (Code) | Amount | Fee | (Code) |
| <input type="checkbox"/> \$ _____ | 3 ½ yr fee | (1551) | <input type="checkbox"/> \$ _____ | 3 ½ yr fee | (2551) |
| <input type="checkbox"/> \$ _____ | 7 ½ yr fee | (1552) | <input type="checkbox"/> \$ <u>725</u> | 7 ½ yr fee | (2552) |
| <input type="checkbox"/> \$ _____ | 11 ½ yr fee | (1553) | <input type="checkbox"/> \$ _____ | 11 ½ yr fee | (2553) |

MAINTENANCE FEE BEING SUBMITTED \$ 725

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 110 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 110

5. MANNER OF PAYMENT

- ☐ Enclosed is a check for the sum of \$ 835
- ☐ Please charge Deposit Account No. _____ the sum of \$ _____
- ☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. WF 1165-4761

7. OVERPAYMENT

As to any overpayment made, please

☒ Credit to Deposit Account No. WF 1165-4761

OR

☐ Send refund check

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.



Signature(s) of Petitioner(s)

December 2 2011

Date

Fernando Anzellini

Typed or printed name(s)

Registration Number, if applicable

Calle 83 No 19-36 Office 704 Bogota-Colombia

Address

57-1-6160959

Telephone Number

Address

ENCLOSURES:

- ☒ Maintenance Fee Payment
- ☒ Statement why maintenance fee was not paid timely
- ☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)

☐ Other:

Copy of check for USD \$ 700 already paid

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."



Signature

December 2 2011

Date

Fernando Anzellini

Type or printed name

Registration Number, if applicable

STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

I was hospitalized due to respiratory complications for severe bronchoneumony for one month in Clinica del Country (Bogota, Colombia), when I was discharged I had to enter in a schedule of respiratory therapy for 20 more consecutive days. After I was better the filling date for paying expired and I didn't know that I had the right for a late filling so the time passed. When I was paying the fee for my other granted patent (7,384,389) I realized that I can make a late payment which I am sending immediately with this form. By phone I was informed of this requisite and the payment of USD \$700 that I enclose with this form in order to have the right for petition for revival of an application for patent abandoned unavoidable.

Thank you very much.

(Please attach additional sheets if additional space is needed)

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

FERNANDO ANZELLINI
CALLE 83 NO 19 36 OF 704
BOGOTA CO COLOMBIA

MAILED

OCT 27 2011

OFFICE OF PETITIONS

In re Patent No. 6,339,720
Issue Date: January 15, 2002
Application No. 09/399,320
Filed: September 20, 1999
Title of Invention: EARLY WARNING
APPARATUS FOR ACUTE MYOCARDIAL
INFARCTION IN THE FIRST SIX HOURS OF
PAIN

ON PETITION

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MAR 15 2012

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re: Patent No. 6,339,720

Page 2

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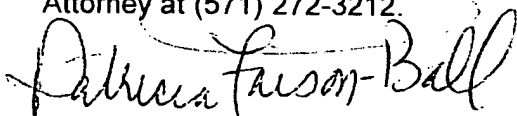
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P.O. Box 1450
Alexandria VA 22313-1450

By FAX: (571) 273-8300
ATTN: Office of Petitions

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.



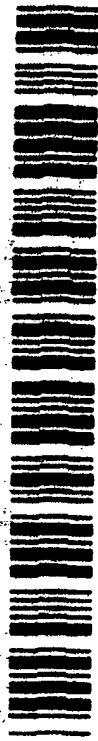
Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions



Guía / AWB
No.

Confiables en todo el Mundo

NIT. 800.179.612-9



501068543

ESTE DOCUMENTO SE ASIMILA A LA LETRA DE CAMBIO EN LOS TERMINOS DEL ART. 722 DEL
CÓDIGO DE COMERCIO Y SERÁ EXIGIBLE SIN REQUISITO DE CONSTITUCIÓN EN MORA.
FAVOR GIRAR CHEQUES A NOMBRE DE SERVIENTREGA INTERNACIONAL S.A.

| | |
|-----------------------------------------------|----------------------------------|
| 1050053 CÓDIGO PUNTO DE SERVICIO / CLIENTE | |
| NOMBRE REMITENTE APOTECARIUM LTDA | DOCUMENTO DE IDENTIDAD / NIT |
| COMPañÍA | |
| CALLE 33 NO 19-36 OFC. 704 | |
| BOGOTÁ | |
| CODIGO POSTAL 0160959 | CODIGO POSTAL COLOMBIA |
| Ciudad / DEPARTAMENTO | PAIS |
| NOMBRE Y FIRMA DE REMITENTE | FECHA 12 12 77 DÍA MES AÑO |
| HORA | |
| 2. DESTINATARIO | |
| NOMBRE DESTINATARIO | COMPañÍA |
| MANTENANCE Jcr | |

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| DESCRIPCIÓN GENERAL | VALOR DECLARADO (EN DÓLARES USD) |
| POSICIÓN ARANCELARIA | |
| USD | |

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| PESO FÍSICO 609g | DIMENSIONES cm. X cm. X cm. LARGO ANCHO ALTO | | PESO VOLUMEN (Largo x Ancho x Alto) / 6000 |
|---------------------|----------------------------------------------------|--|-----------------------------------------------|

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|------------------|--|---------------------------|--|
| 5. SERVICIOS | | 6. PACO | |
| Documentos | | REMITENTE (PREPAID) | |
| No Documentos | | DESTINATARIO (C.O.D.) | |
| GOLDEN EXPRESS | | A UN TERCERO | |
| STANDARD EXPRESS | | 7. IMPUESTOS | |
| ECONOMY EXPRESS | | ACEPTACIÓN IMPUESTO (IPC) | |
| SERVIBOX 10 Kg. | | | |
| SERVIBOX 20 Kg. | | | |
| PROEXPORT | | | |

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|----------------------|-------|
| 8. PRUEBA DE ENTREGA | |
| FECHA DE CONFORMIDAD | FECHA |

Bogota, March 1, 2012

lords
APOTECARIUM LTDA
Attn Fernando Anzellini
Calle 83 No. 19-36 Clinic 704
Tel 6160959
the City

Shipping Ref 501072354

Dear Sirs:

International Servientrega is important to meet the service expectations of our customers is for this reason that all procedures are focused on quality standards.

We know the novelty of his shipment as a reference guide with destination USA, let us introduce you about the following considerations:

- The shipment was received on the Bogota International Servientrega cellar on December 12, 2011
- Refer to shipping Nonconforming process and informed that the address corresponds to PO Box
- The address verification is done through website as there are no data from sender to perform such verification and then proceed with the office
- Starting on international transit December 14, 2011.
- The sending you sent was transported to the destination country within the time limit offered by the company.
- clarify that the operator used to comply with full power and agility established by the company to fulfill our commitments to our customers.
- On December 18, 2011 arrives at the destination country and start the delivery process.
- On-NO particular delivery is achieved as the recipient of the data provided is incomplete because they belong to a PO Box office.
- According to the above stated inform you that our service is individual and therefore delivery to PO Box is not permitted
- The customer service advisor performs the appropriate proactive and makes several attempts to contact the parties and request the recipient's phone number and contact person but there was no satisfactory response
- Failure and over time - the inactivity of stakeholders meant the abandonment of the shipment by Customs.

Be timely to reiterate: (i) the sender - at the time of shipment, ensuring the free flow across borders of remission, and in the absence of the above, (ii) corresponds to the interested parties meet the requirements - both in the country of origin and destination.

In the present communication we give the final answer to the request for the reference - were nevertheless serve other requests pending.

Sincerely,



MARIA DEL ROSARIO ROMAN
Customer Service Coordinator

Bogotá, Marzo 01 2012

Señores
APOTECARIUM LTDA
Atn Fernando Anzellini
Calle 83 N° 19-36 Consultorio 704
Tel 6160959
La Ciudad

RECEIVED

MAR 15 2012

OFFICE OF PETITIONS
Ref. Envío 501072354

Respetados Señores:

Para Servientrega Internacional es importante cumplir con las expectativas de servicio de nuestros clientes, es por esta razón que todos los procedimientos están enfocados en estándares de calidad.

Conocemos la novedad de su envío según guía en referencia con destino Estados Unidos, al respecto nos permitimos presentarle las siguientes consideraciones:

- El envío fue recepcionado en la bodega de Servientrega Internacional Bogota el día 12 de Diciembre de 2011
- Se remite envío a proceso de No Conformes ya que la dirección informada corresponde a PO Box
- La verificación de la dirección se realiza por medio de pagina Web ya que no hay datos de remitente para realizar dicha verificación y posteriormente se procede con el despacho
- Iniciando transito internacional el día 14 de Diciembre de 2011.
- El envío por usted remitido fue transportado hasta el país destino dentro del tiempo límite ofrecido por la empresa.
- Aclaremos que el operador utilizado cumple con total capacidad y agilidad establecida por la compañía para el cumplimiento de nuestros compromisos para con nuestros clientes.
- El 18 de Diciembre de 2011 arriva al país destino y se inicia el proceso de entrega.
- Sobre el particular –NO se logra la entrega ya que los datos suministrados del destinatario se encuentran incompletos ya que pertenecen a una oficina de PO Box.
- De acuerdo a lo anterior expuesto informamos que nuestro servicio es persona por lo cual la entrega a PO Box no es permitida
- El asesor de servicio al cliente realiza la proactividad pertinente y hace varios intentos para contactar a la partes y solicitar numero de teléfono del destinatario y persona contacto pero no se obtuvo respuesta satisfactoria
- El incumplimiento y el transcurso del tiempo – la inactividad de los interesados, significaron el abandono del envío por parte de la Aduana.

Sea oportuno reiterarle: (i) que el remitente – al momento del envío, garantiza el libre tránsito entre fronteras de la remisión, y en defecto de los anterior, (ii) corresponde a los interesados atender los requerimientos – tanto en el país de origen como en destino.

Con la presente comunicación damos respuesta final a la solicitud de la referencia – no obstante quedamos pendientes de atender otras solicitudes.

Cordialmente,



MARIA DEL ROSARIO ROMAN
Coordinadora Servicio al Cliente